



# CITY OF LODI COUNCIL COMMUNICATION

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**AGENDA TITLE:** Adopt Resolution Awarding Contract for Heating, Ventilation, and Air Conditioning (HVAC) Installation Project for Lodi Public Library to TNT Industrial Contractors, Inc., of Sacramento (\$368,175), Accepting \$155,000 from the Library Private Sector Trust Fund, and Appropriating Funds (\$190,000)

**MEETING DATE:** October 15, 2008

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Adopt a resolution awarding the contract for the above project to TNT Industrial Contractors, Inc., of Sacramento, in the amount of \$368,175, accepting \$155,000 from the Library Private Sector Trust Fund, and appropriating funds in accordance with the recommendation shown below.

**BACKGROUND INFORMATION:** This project consists of installing the new energy-efficient 120-ton chiller, cooling tower, tower filter, boiler, and plate and frame heat exchanger that will be needed to replace the Library's aging HVAC system. It also includes modifying/replacing ductwork, variable air volume (VAV) boxes and diffusers, adding variable frequency drives, replacing pumps, and coordinating the installation of a total temperature controls energy management system (EMS). The equipment for this project was purchased under a separate contract for the purposes of saving on delivery time and contractor markup costs.

The replacement is expected to save the City \$1 million in energy costs alone over a 25-year period.

The equipment was bid separately from the installation contract in order to meet the City's schedule for fall installation, to accommodate the eight to 10-week lead time necessary in procuring the equipment, and to save an estimated 15- to 20-percent mark-up that would be added if the equipment was otherwise provided by the installation contractor. The EMS purchase and installation was awarded separately to a sole supplier to match energy management systems in other City facilities. The total HVAC project cost for equipment, EMS, installation, design engineering, construction administration and contingencies is estimated at \$860,000.

Plans and specifications for this installation project were approved on July 2, 2008. The City received the following five bids for this project on August 27, 2008.

Bidder	Location	Bid
Engineer's Estimate		\$300,000
TNT Industrial Contractors, Inc.	Sacramento	\$368,175
BC Construction	Ceres	\$487,971
Bangar Contractors Corp.	Sacramento	\$501,000
Smith Heating and Air Conditioning, Inc.	Stockton	\$608,888
Intech Mechanical	Roseville	\$890,270

APPROVED:

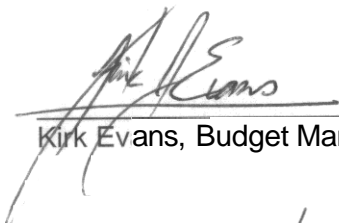
Blair King, City Manager

Adopt Resolution Awarding Contract for Heating, Ventilation, and Air Conditioning (HVAC) Installation Project for Lodi Public Library to TNT Industrial Contractors, Inc., of Sacramento (\$368,175), Accepting \$155,000 from the Library Private Sector Trust Fund, and Appropriating Funds (\$190,000)  
October 15, 2008  
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**FISCAL IMPACT:** Replacing the HVAC system will save operational costs currently associated with the outdated, inefficient and failing HVAC equipment. Energy consumption savings of more than \$40,000 per year are anticipated over the 25-year life of the new HVAC system.

**FUNDING AVAILABLE:** The Library Board of Trustees has approved \$155,000 from their Library Private Sector Trust Fund for this project. Any unexpended funds received from **the** Library Private Sector Trust Fund will be returned.

Requested Appropriation:	
Library Fund Balance (210)	35,000
Library Private Sector Trust Fund (212801)	155,000
FY 08/09 Budget Library Renovations Phase I Fund (211813)	650,000
Public Benefits Fund (164605)	<u>20,000</u>
Total Project Cost	\$860,000

  
Kirk Evans, Budget Manager

  
F. Wally Sandelin  
Public Works Director

Prepared by Dennis J. Callahan, Fleet & Facilities Manager

FWS/DJC/pmf

cc: City Attorney  
Purchasing Officer  
Library Services Director  
Rolfes Engineering, Inc., Fred Rolfes

RESOLUTION NO. 2008-201

A RESOLUTION OF THE LODI CITY COUNCIL AWARDING THE  
CONTRACT FOR HEATING, VENTILATION, AND AIR CONDITIONING  
INSTALLATION PROJECT FOR LODI PUBLIC LIBRARY, ACCEPTING  
FUNDING FROM THE LIBRARY PRIVATE SECTOR TRUST FUND, AND  
FURTHER APPROPRIATING FUNDS

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WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on August 27, 2008, at 11:00 a.m. for the Heating, Ventilation, and Air Conditioning (HVAC) Installation Project for the Lodi Public Library described in the specifications therefore approved by the City Council on July 2, 2008; and

WHEREAS, said bids have been checked and tabulated and a report thereof filed with the City Manager as **follows**:

<u>Bidder</u>	<u>Bid</u>
TNT Industrial Contractors, Inc.	\$368,175
BC Construction	\$487,971
Bangar Contractors Corp.	\$501,000
Smith Heating and Air Conditioning, Inc.	\$608,888
Intech Mechanical	\$890,270

WHEREAS, staff recommends awarding the contract for the HVAC Installation Project for the Lodi Public Library to the **low** bidder, TNT Industrial Contractors, Inc., of Sacramento, California; and

WHEREAS, the Library Board of Trustees has approved \$155,000 be used from the Library Private Sector Trust Fund for this project.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby award the contract for the HVAC Installation Project for the Lodi Public Library to the low bidder, TNT Industrial Contractors, Inc., of Sacramento, California, in the amount of \$368,175; and

BE IT FURTHER RESOLVED that the Lodi City Council does hereby accept \$155,000 from the Library Private Sector Trust Fund: and

BE IT FURTHER RESOLVED that funds in the amount of \$35,000 be appropriated from the Library Fund Balance and \$155,000 from the Library Private Sector Trust Fund, for a total of \$190,000, for this project; and

BE IT FURTHER RESOLVED that any unexpended funds received from the Library Private Sector Trust Fund **be** returned.

Dated: October 15, 2008

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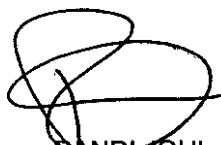
I hereby certify that Resolution No. 2008-201 was passed and adopted by the Lodi City Council in a regular meeting held October 15, 2008, by the following votes:

AYES: COUNCIL MEMBERS—~~Hansen~~, Hitchcock, Johnson, Katzakian, and  
Mayor Mounce

NOES: COUNCIL MEMBERS—None

ABSENT: COUNCIL MEMBERS—None

ABSTAIN: COUNCIL MEMBERS—None

  
RANDI JOHL  
City Clerk

**HEATING, VENTILATION AND AIR CONDITIONING  
(HVAC) INSTALLATION PROJECT FOR  
LODI PUBLIC LIBRARY**

**CONTRACT**

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THIS CONTRACT made by and between the CITY OF LODI, State of California, herein referred to as the "City," and TNT INDUSTRIAL CONTRACTORS, INC., herein referred to as the "Contractor."

**WITNESSETH:**

That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other, as follows:

The complete Contract consists of the following documents which are incorporated herein by this reference, to-wit:

- Notice Inviting Bids
- Information to Bidders
- General Conditions
- Special Provisions
- Bid Proposal
- Contract
- Contract Bonds
- Plans (Drawings)
- Specifications
- Addenda

All of the above documents, sometimes hereinafter referred to as the "Contract Documents," are intended to cooperate so that any work called for in one and not mentioned in the other is to be executed the same as if mentioned in all said documents.

ARTICLE I - That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the City and under the condition expressed in the two bonds bearing even date with these presents and hereunto annexed, the Contractor agrees with the City, at Contractor's cost and expense, to do all the work, furnish all labor and furnish all the materials except such as are mentioned in the specifications to be furnished by the City, necessary to construct and complete in a good workmanlike and substantial manner and to the satisfaction of the City the proposed improvements as shown and described in the Contract Documents which are hereby made a part of the Contract.

ARTICLE II - The City hereby promises and agrees with the Contractor to employ, and does hereby employ, the Contractor to provide all materials and services not supplied by the City and to do the work according to the terms and conditions for the price herein, and hereby contracts to pay the same as set forth in Clauses 65 and 66 General Conditions, in the manner and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III - The Contractor agrees to conform to the provisions of Chapter 1, Part 7, Division 2 of the Labor Code. The Contractor and any Subcontractor will pay the general prevailing wage rate and other employer payments for health and welfare, pension, vacation, travel time, and

and subsistence pay, apprenticeship or other training programs. The responsibility for compliance with these Labor Code requirements is on the prime contractor.

ARTICLE IV - And the Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also for all loss or damage arising out of the nature of the work aforesaid or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work and for well and faithfully completing the work, and the whole thereof, in the manner and according to the Plans and Contract Documents and the requirements of the Engineer under them, to-wit:

Perform the work necessary to furnish all labor, material, tax, equipment, and services necessary for the construction and completion of the "Heating, Ventilation and Air Conditioning (HVAC) Installation Project for Lodi Public Library" and associated improvements. The Project includes: installing a new energy efficient 120-ton chiller, cooling tower, tower filter, boiler, and plate and frame heat exchanger. The work also includes modifying/replacing ductwork, variable air volume (VAV) boxes and diffusers, replacing supply air fans, adding variable frequency drives, replacing pumps, and coordinating the installation of a total temperature controls energy management system (EMS) and other incidental and related work, all as shown on the plans and specifications for the above project, all in accordance with the specifications and working details and other contract documents now on file with the Director of Public Works, City Hall, 221 West Pine Street, Lodi, California.

Description	Unit	Total Price
1. Heating, Ventilation and Air Conditioning (HVAC) Installation Project for Lodi Public Library	(Lump Sum)	\$368,175.00
TOTAL		\$368,175.00

ARTICLE V - By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE VI - It is further expressly agreed by and between the parties hereto that, should there be any conflict between the terms of this instrument and the Bid Proposal of the Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE VII - The City is to furnish the necessary rights-of-way and easements and to establish lines and grades for the work as specified under the Special Provisions. All labor or materials not mentioned specifically as being done by the City will be supplied by the Contractor to accomplish the work as outlined in the specifications.

ARTICLE VIII - The Contractor agrees to commence work pursuant to this contract and to diligently prosecute to completion within **90 CALENDAR DAYS**.

When signing this contract, the contractor agrees that the time of completion for this contract is reasonable and the contractor agrees to pay the city liquidated damages of **\$1,000.00 per day**

**for each day the work is not completed** beyond the time specified in the preceding paragraph. Contractor agrees that this amount may be deducted from the amount due the contractor under the contract.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands the year and date written below.

CONTRACTOR:

CITY OF LODI

\_\_\_\_\_

By: \_\_\_\_\_  
Blair King  
City Manager

- \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_

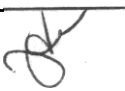
Title

\_\_\_\_\_  
Randi Johl, City Clerk

(CORPORATE SEAL)

Approved as to form:

\_\_\_\_\_  
D. Stephen Schwabauer  
City Attorney



CITY COUNCIL

JOANNE L. MOUNCE, Mayor  
LARRY D. HANSEN,  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
BOB JOHNSON  
PHIL KATZAKIAN

# CITY OF LODI

## PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

(209) 333-6706

FAX (209) 333-6710  
EMAIL [pwdept@lodi.gov](mailto:pwdept@lodi.gov)  
<http://www.lodi.gov>

BLAIR KING  
City Manager

RANDI JOHL  
City Clerk

D. STEVEN SCHWABAUER  
City Attorney

F. WALLY SANDELIN  
Public Works Director

October 10, 2008

Rolfes Engineering, Inc.  
1036 W. Robinhood Drive, Ste. 201  
Stockton, CA 95207-5627

SUBJECT: Adopt Resolution Awarding Contract for Heating, Ventilation, and Air Conditioning (HVAC) Installation Project for Lodi Public Library to TNT Industrial Contractors, Inc., of Sacramento (\$368,175), Accepting \$155,000 from the Library Private Sector Trust Fund, and Appropriating Funds (\$190,000)

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, October 15, 2008. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Randi Johl, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Dennis Callahan, Fleet and Facilities Manager, at (209) 333-6800, extension 2690.



F. Wally Sandelin  
Public Works Director

for:

FWS/pmf

Enclosure

cc: City Clerk